



House Committee on Criminal Justice

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House Bills 4787 & 4830

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No woman should be coerced into any decisions concerning her pregnancy. All reproductive health choices should be freely made.

Coercive abortion laws, like HB 4787 and 4830, are the byproduct of a decade's long public and political campaign to market the theory that any woman who seeks an abortion does so because she is confused, misled or coerced, regardless of the fact that studies consistently find this to be untrue.

Most troubling is the description of "coercion" in this bill:

- To "discontinue, attempt to discontinue, or threaten to discontinue support that the person has a legal responsibility to provide or reduce that support to a level below his or her legal responsibility"
- To "withdraw, attempt to withdraw, or threaten to withdraw from a contract or agreement or otherwise violate the terms of that agreement having previously entered into a contract or other legally binding agreement to which the pregnant female is a party or beneficiary".

The language in this bill does not do enough to distinguish between true coercion and pressure. We all feel pressure when we are faced with important decisions, and because this bill is so unclear there can be harmful unintended consequences for a woman who is seeking advice about a pregnancy decision – do we really want to criminalize a parent who decides that they are going to remove their 21 year old daughter from their health insurance policy because she is pregnant and they don't agree with pregnancy outside of marriage?

To the extent the sponsor is referring to the definition of coercion in section 462a* there are already laws on the books that protect women from the coercion and discrimination these bills aim to address:

- Michigan's existing informed consent law already mandates that a woman's consent to an abortion must be "given freely and without coercion."
- Michigan already has statutes on the books that would make such coercion illegal - Aggravated Stalking (MCL 750.411i)

- Michigan's Elliott Larsen Civil Rights Act already protects a woman from discrimination based on actions related to pregnancy, and this act was further strengthened to protect women in the work place in 2009 (Public Act 190 of 2009; MCL 37.2202).

Because the bills are unnecessary and the language used is vague, they confuse current law and lay the groundwork for unintended consequences.

If it is the goal of the Michigan Legislature to reduce the number of abortions in Michigan, preventing unintended pregnancies should be your top priority.

We should be working together to move forward commonsense policies that would improve access for low-income women to reproductive and prenatal health care, expand insurance coverage of contraceptives, and provide comprehensive sex education to our young people. By focusing on preventing unintended pregnancies, we would reduce the need for elective abortions in Michigan and accomplish everyone's goals.

***MCL 750.452a:**

750.462a Definitions.
Sec. 462a.

As used in this chapter:

- (a) "Bodily injury" means any physical injury.
- (b) "Coercion" includes, but is not limited to, any of the following:
 - (i) Threatening to harm or physically restrain any individual or the creation of any scheme, plan, or pattern intended to cause an individual to believe that failure to perform an act would result in psychological, reputational, or financial harm to, or physical restraint of, any individual.
 - (ii) Abusing or threatening abuse of the legal system, including threats of arrest or deportation without regard to whether the individual being threatened is subject to arrest or deportation under the laws of this state or the United States.
 - (iii) Knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document or any other actual or purported government identification document from any individual without regard to whether the documents are fraudulent or fraudulently obtained.